

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADRIAN ALMONTE,

Defendant.

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CASE NO. 8:08CR282

ORDER

This matter is before the Court on the Defendant's pro se¹ Motion to Reconsider (Filing No. 132) the Memorandum and Order denying the Defendant's Motion for a Sentence Reduction.

Simultaneously with the Motion to Reconsider, the Defendant filed a Notice of Appeal with respect to the Court's order denying a reduction in sentence. Therefore, because this case is now before the Eighth Circuit Court of Appeals, the Court lacks jurisdiction to decide the Motion to Reconsider.

Accordingly,

IT IS ORDERED that the Defendant's Motion to Reconsider (Filing No. 132) is denied for lack of jurisdiction.

DATED this 11th day of April, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

¹Counsel was appointed (Filing No. 129).